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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 March 2008</u>.

2a)☒ This action is **FINAL**.　　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date <u>03/21/2008</u>.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claim 1-26 have been considered but are moot in view of the new ground(s) of rejection.

2.   As to applicants argument for claim 6 regarding the examiner has failed to cite the section WU that teaches the missing elements.

3.   The examiner respectfully disagrees. Wu teaches the missing element of a third sub-layer, however, Wu teaches multiple enhancement layers (fig. 4 and 5), which read upon the claimed limitation.

4.   As to applicants argument for claim 13 regarding the examiner has failed to cite to the section of Oshima that teaches or suggest the missing elements.

5.   The examiner respectfully disagrees. Oshima teaches the missing element of claim 13 wherein the multiplexing means multiplexes the odd field of the left eye image (LO), the even field of the left eye image (LE), the odd field of the right-eye image (RO), and the even field of the right-eye image (RE). (As shown in FIG. 23, a right-eye signal 97 and a left-eye signal 98 are entered in a recording device 99. Being of interlace signals, in every 1/60 second, odd field signals 72a, 72b and even field signals 73a, 73b are entered. The signals are combined in combining units 101a, 101b, and transformed into frame signals 102a, 102b in every 1/30 second. Compressed signals 83a, 83b compressed in compressing units 103a, 103b are gathered into a set of one GOP or more, and interleaved block 84a, 84b, 84c are produced, and are arranged alternately

and recorded on the optical disk 1; column 12 line 25-44 and fig. 23, which reads upon

the claimed limitation).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

8.   Claims 1- 12,14, 23, and 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nelson et al., US-2002/0009137 and in view of Lipton et al., US-.5,

416, 510 and in further view of Wu et al., US-6,614, 936.

9.   Regarding claim 1, Nelson teaches A stereoscopic video encoding apparatus

that supports multi- display modes based on a-user display information, comprising an

encoding means for encoding the fields separated in the field separating means by

performing motion and disparity compensation (fig. 12), wherein the encoding means

forms a main layer, a first sub-layer with the fields separated in the field separating

means; (the compression unit preferably generates a base stream that conforms to

MPEG standard using a standard MPEP encoder. Video signal processing using MPEG

algorithms well know to those skilled in the art. The compression unit preferably also

generates an enhancement stream, [0041] fig. 1), and a multiplexing means for

multiplexing the-essential fields among the fields received from the encoding means,

based on the user display information ([0044]). Nelson is silent in regards : a field

separating means for separating right and left-eye input images into an odd field of the

left-eye image (LO), even field of the left-eye image (LE), odd field of the right-eye

image (RO), and even field of the right-eye image (RE); and a second sub-layer with the

fields separated in the field separating means.

10.   However, Lipton discloses a stereoscopic video signal format compatible with the

NTSC protocol, with a 4-fold interlace with 262.25 lines/field, and rate of 120 fields per

second (fig. 6A-6B). Lipton further discloses a controller is used to unsqueeze and

demultiplex the signal before it is displayed on a monitor, the controller can organize the

signal to produce a sequence of fields suitable for the display of a stereoscopic video

image (column 10 line 7-21).

11.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to incorporate the teachings of Nelson with Lipton's teaches of four

fold interlace signal for providing a stereoscopic signal that can be processed to

produce flicker less, field-sequential electronic stereoscopic display with good image

quality, (column 10 line 10-19).

12.   Nelson (modified by Lipton) is silent in regards to a second sub-layer.

13.   However, Wu teaches multiple enhancement layers (fig. 4 and 5).

14.   Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Wu with Nelson (modified by Lipton) to provide a coding scheme that were the difference between any two layers, even if small, can be used by the decoder to improve the image quality (column 5 line 33-42).

15.   Regarding **claim 2**, Nelson (modified by Lipton and Wu) as a whole teaches everything as claimed above, see claim 1. Nelson is silent in regards to The stereoscopic video encoding apparatus as recited in claim I, wherein the encoding means forms the main layer with the odd field of the left-eye image (LO) and the even field of the right-eye image (RE), a first sub-layer with the even field of the left-eye image (LE), and a second sub-layer with the odd field of the right-eye image (RO).

16.   However, Lipton discloses the real time display field sequence and record output field sequence (fig. 24) which has 3 layers formed from the right even and left odd, right odd and left even, and right even and left odd, which exemplifies Lipton creating layers from different combinations of fields for the left and right eye.

17.   Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Nelson with Liptons' teaching of four fold interlace signal for providing a stereoscopic signal that can be processed to produce flickerless, field-sequential electronic stereoscopic display with good image quality (column 1 line 10-19).

18.   Regarding **claim 3**, Nelson (modified by Lipton and Wu) as a whole teaches everything as claimed above, see claim 1. In addition Nelson teaches The stereoscopic video encoding apparatus as recited in claim 2, wherein the encoding means ([0124]

and fig.9) forms a base layer of the main layer with the odd field of the left-eye image

(LO) and forms an enhancement layer of the main layer with the even field of the right-

eye image (RE) (Nelson discloses the base stream may include information from left

view images while the enhancement stream may include information from the right view

images [0042], [0125], and fig. 9).The examiner notes that a left and right view would

include the even and odd fields of the images) left and then performs encoding using

estimation for motion and disparity compensation (Nelson, [0134] and fig. 12).

19.   Regarding **claim 4**, Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 3. In addition, Nelson teaches the stereoscopic

video encoding apparatus as recited in claim 3, wherein the first sub-layer performs the

estimation for motion compensation based on the information related to the base layer,

and performs the estimation for disparity compensation based on the information related

to the enhancement layer ([0134] and fig. 12).

20.   Regarding **claim 5**, Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 3. In addition, Nelson teaches The stereoscopic

video encoding apparatus as recited in claim 23, wherein the second sub-layer performs

the estimation for disparity compensation based on the information related to the base

layer, and performs the estimation for motion compensation based on the information

related to the enhancement layer. Nelson discloses the enhancement encoding block

402 preferably also includes an enhancement stream encoder 404 for receiving the right

view video stream to perform motion based prediction and for encoding the right video

stream to the enhancement stream using both the disparity based prediction and motion

based prediction ([0134]). Although Nelson is silent in regards to a second sub-layer,

Lipton discloses where the record output field sequence contains more than one sub-

layer (fig. 24).

21.   The combination of Nelson and Lipton as a whole teaches the sub-layer performs

estimation for disparity based on information related to the base layer, and motion

compensation from information relating to the enhancement layer.

22.   Regarding **claim 6**, Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 1. In addition, Nelson teaches The stereoscopic

video encoding apparatus as recited in claim 1, wherein the encoding means forms the

main layer with the odd field of the left-eye image (LO), a the first sub-layer with the

even field of the fight-eye image (RE) ([0042] and [0125]). Nelson is silent in regards to

the second sub-layer with the even field of the left-eye image (LE), and a third sub-layer

with the odd field of the right-eye image (RO).

23.   However, Lipton discloses the real time display field sequence and record output

field sequence (fig. 24) which has 3 layers formed from the right even and left odd, right

odd and left even, and right even and left odd, which exemplifies Lipton creating layers

from different combinations of fields for the left and right eye.

24.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to combine the teachings of Nelson with Liptons' teaching of the

real time display and record output field sequence to minimize record buffer size and

leads to a more cost effective implementation (column 26 line 20-24).

25.   Nelson (modified by Lipton) is silent in regards to a third sub-layer, however, Wu teaches multiple enhancement layers (fig. 4 and 5).

26.   Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Wus' teaching of multiple enhancement layers with Nelson (modified by Lipton) for providing a coding scheme that where the difference between any two layers, even if small, can be used by the decoder to improve the image quality (column 5 line 33-42).

27.   Regarding **claim 7**, Nelson (modified by Lipton and Wu) as whole everything as claimed above, see claim 6. In addition, Nelson teaches The stereoscopic video encoding apparatus as recited in claim 6, wherein the main layer performs the estimation for motion compensation based on the information related to the main layer (fig. 12 element 410).

28.   Regarding **claim 8**, Nelson (modified by Lipton and Wu) as a whole teaches everything as claimed above, see claim 6.The stereoscopic video encoding apparatus as recited in claim 6, wherein the first sub-layer performs the estimation for motion compensation based on the information related to the first sub-layer, and performs the estimation for disparity compensation based on the information related to the main layer (Nelson teaches performing estimation for motion compensation based on the sub-layer (enhancement layer) and performing estimation for disparity compensation from information relating to the main (base) layer ([0134] and fig. 12).

29.   Regarding **claim 9**, Nelson (modified by Lipton and Wu) as a whole teaches everything as claimed above, see claim 6. In addition, Nelson teaches The stereoscopic

video encoding apparatus as recited in claim 6, wherein the second sub-layer performs the estimation for motion compensation based on the information related to the main layer and the second sub-layer (Nelson teaches where the enhancement layer performs estimation for motion compensation ([0134] and fig. 12). Nelson is silent in regards to a second sub-layer, however, Wu teaches multiple enhancement layers (fig. 4 and 5). The combination of Nelson, Lipton and Wu as a whole teaches performing estimation for motion compensation for a second sub-layer. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Wus' multiple enhancement layers with Nelson (modified by Lipton) for providing a coding scheme that where the difference between any two layers, even if small, can be used by the decoder to improve the image quality (column 5 line 33-42).

30.   Regarding **claim 10**, Nelson (modified by Lipton and Wu) as a whole teaches everything as claimed above, see claim 6. In addition, Nelson teaches The stereoscopic video encoding apparatus as recited in claim 6, wherein the third sub-layer performs the estimation for motion compensation based on the information related to the first sub-layer, and performs the estimation for disparity compensation based on the information related to the main layer. Nelson teaches performing estimation for motion compensation based on the sub-layer (enhancement layer) and performing estimation for disparity compensation from information relating to the main (base) layer ([0134] and fig. 12).

31.   Nelson (modified by Lipton) is silent in regards to a third sub-layer, however Wu teaches a multiple enhancement layers (fig. 4 and 5). The combination of Nelson, Lipton

and Wu as a whole teaches a performing estimation for disparity compensation and

motion compensation for information relating to the base layer from the third sub-layer.

32.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to incorporate Wus' teaching of multiple enhancement layers with

Nelson (modified by Lipton) for providing a coding scheme that where the difference

between any two layers, even if small, can be used by the decoder to improve the

image quality (column 5 line 33-42).

33.   Regarding **claim 11**, Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 1. In addition, Nelson teaches The stereoscopic

video encoding apparatus as recited in claim 1, wherein the user display information

includes a three-dimensional field shuttering display, a three- dimensional frame

shuttering display, and a two-dimensional display ([0060], [0098], fig. 2 element 112 and

fig. 6. Nelson further discloses the broadcasting system may also support production of

non-standard video streams for two-dimensional (2D) or 3D application [0030]).

34.   Regarding **claim 12**, Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 1. In addition, Nelson teaches The stereoscopic

video encoding apparatus as recited in claim 1, wherein the multiplexing means

multiplexes the odd field of the left-eye image (LO) and the even field of the right-eye

image (RE), in case where the user display information indicates a three-dimensional

field shuttering display ([0060]). Nelson further teaches alternate left and right video

fields preferably are presented to the viewer by means of actively shuttered glasses,

which are synchronized with the alternate interlaced fields (or alternate frames)

produced by standard televisions ([0030]).

35.   Regarding **claim 14,** Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 1. In addition, Nelson teaches The stereoscopic

video encoding apparatus as recited in claim 1, wherein the multiplexing means

multiplexes the odd field of the left-eye image (LO), and even field of the left-eye image

(LE), in case where the user display information indicates a two-dimensional display

([0030] therefore, it is clear to the examiner that only the field of one eye (left or right)

would need to be multiplexed, since the image or picture is flat or lacking depth).

36.   Regarding **claim 23**, which recite a corresponding method to the encoding

apparatus of claims 1-14. Thus the rejection and analysis made in claims 1-14 also

apply here because the apparatus would have necessarily performed the method steps

in claim 23.

37.   Regarding **claim 25**, the analysis and rejection made in claims 1-14 also apply

here. Nelson (modified by Lipton and Wu) as a whole teaches a microprocessor based

system. Hence a computer processor for executing the necessary steps corresponding

to the apparatus of claims 1-14 would have been inherent.

38.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson

et al., US-2002/0009137 in view of Lipton et al., US-5, 416,510 in view of Wu et al., US-

6, 614, 936 and in further view of Oshima et al., US-6, 574, 423.

39.   Regarding **claim 13**, Nelson (modified by Lipton and Wu) as a whole teaches

everything as claimed above, see claim 1. Nelson is silent in regards to the stereoscopic

video encoding apparatus as recited in claim 1, wherein the multiplexing means

multiplexes the odd field of the left-eye image (LO), the even field of the left-eye image

(LE), the odd field of the right-eye image (RO), and the even field of the right-eye image

(RE), in case where the user display information indicates a three-dimensional frame

shuttering display.

40.   However Lipton discloses representing a stereoscopic video signal format

compatible with the NTSC protocol, with a 4-fold interlace with 262.25 lines/field, and a

rate of 120 fields/sec (fig. 6A). Further, Lipton discloses the present invention is

independent of the particular selection technique employed, and will work with any

properly engineered individual shuttering device, column 12 line 4-23, which reads upon

the claimed invention.

41.   Therefore, it would have been obvious for one of ordinary skill in the art at the

time of the invention to combine the teachings of Nelson with Liptons' teaching of four

fold interlace signal for providing a stereoscopic signal that can be processed to

produce flickerless, field-sequential electronic stereoscopic display with good image

quality (column 1 line 10-19).The combination of Nelson and Lipton are silent in regards

to explicitly teaching the multiplexing means multiplexes the odd field of the left-eye

image (LO), the even field of the left-eye image (LE), the odd field of the right-eye image

(RO), and the even field of the right-eye image (RE). However, Oshima teaches

multiplexing the left field (even and odd) and the right field (even and odd), fig. 23).

42.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to incorporate Oshimas' teachings of multiplexing the left even and

odd field and the right even and odd fields with Nelson (modified by Lipton and Wu) for

providing a more cost effective signal processing of stereoscopic signals.

43.   Claims 15, 19, and 22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nelson et al., US- and in view of Wu et al., US-6,614,936.

44.   Regarding **claim 15,** Nelson teaches A stereoscopic video decoding apparatus

that supports multi-display modes based on a user display information, comprising: an

inverse-multiplexing means for multiplexing supplied bit stream to be suitable for the

user display information (fig. 12: 414), wherein the supplied bit stream includes a main

layer, a first sub-layer (a decoding means for decoding the field inverse-multiplexed in

the inverse-multiplexing means by performing estimation for motion and disparity

compensation (fig. 12:418, 420, 422); and a display means for displaying an image

decoded in the decoding means based on the user display information ([0054] and fig.

1:46). Nelson is silent in regards to a second sub-layer.

45.   However, Wu teaches multiple enhancement layers (fig. 4 and 5).

46.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to incorporate the teachings of Wu with Nelson to provide a coding

scheme that were the difference between any two layers, even if small, can be used by

the decoder to improve the image quality (column 5 line 33-42).

47.   Regarding **claim 19**, the combination of Nelson and Wu as a whole teaches

everything as claimed above, see claim 15. In addition, Nelson teaches The

stereoscopic video decoding apparatus as recited in claim 15, wherein the inverse-

multiplexing means inverse-multiplexes the bit stream into the odd field of the left-eye

image (LO), and even field of the left-eye image (LE), in case where the user display

information indicates a two-dimensional display (2D) applications ([0030]), Further,

Nelson discloses when the set-top box is used by the viewer is not equipped to decoded

the enhancement stream he or she is still capable of watching the 3D stream in 2D on

the display monitor [0051] and fig. 1. Therefore, it is clear to the examiner that only the

field of one eye (left or right) would need to be demultiplexed, since the image or picture

is flat or lacking depth).

48.   Regarding **claim 22**, the combination of Nelson and Wu as a whole teaches

everything as claimed above, see claim 15. In addition, Nelson teaches The

stereoscopic video decoding apparatus as recited in claim 15, wherein the display

means displays an image that is decoded from the odd field of the left-eye image (LO),

and an image decoded from the even field of the left-eye image (LE) simultaneously, in

case where the user display information indicates a two-dimensional display (The

broadcast system as disclosed by Nelson supports production of two dimensional (2D)

applications ([0030]), therefore it is clear to the examiner that only the field of one eye

(left or right) would need to be decoded together in order to produce a flat image or an

image that lacks depth).

49.   Claims 16-18, 20-21, 24, and 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nelson et al., US-2002/0009137 in view of Wu et al., US-6,614,936

and further in view of Lipton et al.,US-5,416,510.

50.   Regarding **claim 16,** the combination of Nelson and Wu as a whole teaches

everything as claimed above, see claim 15. In addition, Nelson teaches The

stereoscopic video decoding apparatus as recited in claim 15, wherein the user display

information includes a three-dimensional field shuttering display ([0060], [0098], fig.2:

112 and fig. 6), and a two-dimensional display (Nelson discloses the 3D broadcasting

system may also support production of non-standard video streams for two dimensional

applications [0030]). Nelson is silent in regards to a three-dimensional frame shuttering

display.

51.   However, Lipton discloses the present invention is independent of the particular

selection technique employed, and will work with any properly engineered individual

shuttering device, column 12 line 4-23, which reads upon the claimed invention).

52.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to incorporate the teachings of Lipton with Nelson (modified by Wu)

for providing a stereoscopic signal that can be processed to produce flickerless, field-

sequential electronic stereoscopic display with good image quality (column 1 line 10-

19).

53.   Regarding **claim 17**, the combination of Nelson and Wu as whole teaches

everything as claimed above, see claim 15. Nelson is silent in regards The stereoscopic

video decoding apparatus as recited in claim 15, wherein the inverse-multiplexing

means inverse-multiplexes the bit stream into the odd field of the left-eye image (LO)

and the even field of the fight-eye image (RE), in case where the user display

information indicates a three-dimensional field shuttering display.

54. However, Lipton teaches the inverse multiplexing means inverse-multiplexes the bit stream into the odd field of the left eye image (LO) and the even field of the right-eye image (RE), (column 15 line 43-52).

55. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Liptons with Nelson (modified by Wu) for providing a stereoscopic signal that can be processed to produce flickerless, field-sequential electronic stereoscopic display with good image quality (column 1 line 10-19).

56. Regarding **claim 18**, the combination of Nelson and Wu as a whole teaches everything as claimed above, see claim 15. Nelson is silent in regards to The stereoscopic video decoding apparatus as recited in claim 15, wherein the inverse-multiplexing means inverse-multiplexes the bit stream into the odd field of the left-eye image (LO), even field of the left-eye image (LE), odd field of the right-eye image (RO), and the even field of the right-eye image (RE), in case where the user display mode reformation indicates a three-dimensional frame shuttering display. However, Lipton discloses demultiplexing the signal into a four-field sequence (left odd, right odd, left even, right even) column 10 line 7-21 and fig. 6A. Lipton further discloses where the display field sequence contains right even, left odd, right odd, left even...etc. fig. 24, and where the present invention is independent of the particular selection technique employed, and will work with any properly engineered individual shuttering device, column 12 line 4-23, which reads upon the claimed invention).

57.   Nelson (modified by Wu and Lipton) as a whole discloses the claimed invention

except for the field order of the bit stream is LO, LE, RO, and RE. It would have been an

obvious matter of design choice to order field sequence of the image being generated to

LO, LE, RO, and RE since applicant has not disclosed that the sequence of LO, LE,

RO, and RE solves any stated problem or is for any particular purpose and it appears

that the invention would perform equally well with displaying the pictures from images

decoded the RE, LO, RO, and LE sequence.

58.   Regarding **claim 20**, the combination of Nelson and Wu as a whole teaches

everything as claimed above, see claim 15. Nelson is silent in regards to The

stereoscopic video decoding apparatus as recited in claim 15, wherein the display

means displays an image that is decoded from the odd field of the left-eye image (LO),

and an image that is decoded from the even field of the right-eye image (RE) at

predetermined time intervals, in case where the user display information indicates a

three- dimensional field shuttering display.

59.   However, Lipton discloses the relative timing sequence of the record output field

sequence which contains an even sequence generated from a right even and left odd

(fig. 24). Lipton further teaches the images are displayed at 1/120 sec per from (fig. 6A).

Lipton discloses where the present invention will work with any properly engineered

individual shutter selection device (column 12 line 4-23).

60.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to incorporate the teachings of Lipton with Nelson (modified by Wu)

for providing a stereoscopic signal that can be processed to produce flickerless, field-

sequential electronic stereoscopic display with good image quality (column 1 line 10-19).

61.   Regarding **claim 21**, the combination of Nelson and Wu as a whole teaches everything as claimed above, see claim 15. Nelson is silent in regards to The stereoscopic video decoding apparatus as recited in claim 15, wherein the display means displays an image that is decoded from the odd field of the left-eye image (LO), an image decoded from the even field of the left-eye image(LE), an image decoded from the odd field of the right-eye image (RO), and an image decoded from the even field of the right-eye image (RE) at predetermined time intervals, in case where the user display mode information indicates a three-dimensional frame shuttering display.

62.   However, Lipton discloses the output field sequence is generated from RE, Lo, RO, and LE fields (fig. 24). Lipton also discloses wherein the four field display is in field sequential format and has a display of 1/120s (fig. 6A). Lipton discloses the present invention is independent of the particular selection technique employed, and will work with any properly engineered individual shuttering device, column 12 line 4-23, which reads upon the claimed invention).

63.   The combination of Nelson (modified by Wu and Lipton) as a whole have the majority of the features of claim 21, but still fails to discloses the display means displays an image decoded from the odd field of the left eye, an image decoded from the even field of the left eye, and image decoded from the odd field of the right eye, and an image decoded form even field of the right eye.

64.   It would have been an obvious matter of design choice to order the image being generated in the sequence of LO, LE, RO, and RE since applicant has not disclosed that the sequence of LO, LE, RO, and RE solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with displaying the pictures from images decoded RE, LO, RO, and RE.

65.   24. Regarding **claim 24**, which recite a corresponding method of the decoding apparatus of claims 15-22. Thus the rejection and analysis made in claims 15-22 also apply here because the apparatus would have necessarily performed the method steps in claim 24.

66.   Regarding **claim 26**, the analysis made in claims 15-22 also apply here. Nelson (modified by Wu and Lipton) as a whole teach a microprocessor based system. Hence a microprocessor for executing the necessary steps corresponding to the apparatus of claims 15-22 would be inherent.

Conclusion

67.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JESSICA ROBERTS whose telephone number is

(571)270-1821. The examiner can normally be reached on 7:30-5:00 EST Monday-

Friday, Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax

phone number for the organization where this application or proceeding is assigned is

571-273-8300.

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